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Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re:	)	
	)	
	)	
EASY STREET HOLDING, LLC, <i>et al.</i> ,	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors.	)	09-29907 and 09-29908
	)	
Address: 201 Heber Avenue	)	Chapter 11
Park City, UT 84060	)	
	)	
Tax ID Numbers:	)	Honorable R. Kimball Mosier
35-2183713 (Easy Street Holding, LLC),	)	
20-4502979 (Easy Street Partners, LLC), and	)	[FILED ELECTRONICALLY]
84-1685764 (Easy Street Mezzanine, LLC)	)	

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**DEBTOR'S EX PARTE MOTION TO APPROVE NOTICE ON DEBTOR'S  
APPLICATION TO EMPLOY BDRC 4 SITE, LLC AS CO-MANAGER**

Easy Street Partners, LLC (the "Debtor" or "Partners"), debtor in possession, hereby submits its ex parte motion (the "Ex Parte Motion") for an Order approving the time for notice of hearing and objection deadline on the Debtor's application (the "Co-Manager Application") for an order authorizing it to employ BDRC 4 Site, LLC ("BDRC") as a co-manager ("Co-Manager") to

assist Partners in managing its business operations and restructuring its obligations, so that notice sent on Friday, November 13, 2009, of an objection deadline of Monday, November 23, 2009 and of hearing on Tuesday, November 24, 2009, is sufficient. In support of this Ex Parte Motion, the Debtor states as follows:

1. Partners commenced this case under Chapter 11 of the United States Bankruptcy Code by filing a voluntary petition on September 14, 2009.
2. The Stipulation dated October 9, 2009, between Partners and WestLB, AG, its principal secured lender (“WestLB”), Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to WestLB, AG (the “Cash Collateral Stipulation”), a slightly modified version of which was approved by Order of the Court entered October 14, 2009 (the “Cash Collateral Order”) requires the employment of a Co-Manager no later than December 1, 2009. Pursuant to the Cash Collateral Order, Partners and WestLB have collaborated in identifying and interviewing potential parties to serve as Co-Manager. Partners has final authority to select the Co-Manager, but Partners’ selection must be reasonably acceptable to WestLB. Cash Collateral Stipulation at ¶ 26(h), Cash Collateral Order at ¶ 10(h).
3. Partners has identified BDRC as the party it has selected to employ as and WestLB has indicated that this is selection is acceptable to it, provided that Partners employs or instructs BDRC to subcontract with another consultant, Gemstone Hotels & Resorts, LLC, to provide consulting services with respect to certain matters.
4. Because of the critical importance of timely employing a Co-Manager and of having the Court approve such employment before December 1, 2009, the Debtor requests by this Ex Parte Motion approval of the identified ten-day notice for objections and eleven-day notice of hearing.

5. To the extent that this Ex Parte Motion requires a reduction in time for notice, Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure authorizes the Court, in its discretion, to reduce the period for notice “for cause shown.”

6. The Debtor believes that the circumstances of the Co-Manager Application, and the time-sensitivity of the matter to the Debtor and its estate constitute “cause” for approving the response and hearing notice periods.

Accordingly, for cause shown, the Debtor requests that the Court approve notice of the time for responses to the Co-Manager Application and of hearing thereon so that notice served by mail and ECF on Friday, November 13, 2009, of a response deadline of Monday, November 23, 2009, and of hearing on Tuesday, November 24, 2009, is sufficient.

DATED this 13<sup>th</sup> day of November, 2009.

DURHAM JONES & PINEGAR

By: /s/ Kenneth L. Cannon II

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